

agency confirmed four cases in which the illegal imitation was not effective in removing fluid caused by the patient's heart conditions. Three patients had to be hospitalized after taking the illegal version. The fourth, already hospitalized, became seriously ill. If you don't think that is worth a crime of a misdemeanor, then I don't know what is.

PRESIDENT: Chair recognizes Senator Higgins.

SENATOR HIGGINS: Thank you, Mr. President. Senator Pirsch, would you yield to a question, please? Did you just now say that you were going to consider taking the manufacturers out of the bill, and by that did you mean giving them a different penalty?

SENATOR PIRSCH: I'm seriously thinking of making it a more serious crime for the manufacturer if we are concerned that they are getting the same as the seller and the distributor.

SENATOR HIGGINS: Okay, thank you. I wanted to clarify that because I wasn't sure what you meant by it.

SENATOR PIRSCH: No, I wasn't going to take them out of the bill, no.

SENATOR HIGGINS: Okay, thank you. Senators, I think what sways me the most on this is this handout which I finally got to read from the Nebraska Pharmacists Association. In the third paragraph it says these products are clearly a menace to the public health. But what really hits me is they serve no useful purpose, so why would we even want to see them manufactured. We know that in some cases they have served a destructive purpose, but they don't serve any useful purpose. The other thing that...I had intended to vote for this bill all along, but Senator Chambers and Senator Landis have brought up some questions in my mind. And my friend, Senator Smith, talking about not giving the same penalty to others as you do the manufacturers, that also makes me think that on Select File there should definitely be a different penalty, maybe. But I'm going to wait and hear the arguments on it when somebody comes up with that amendment for the manufacturer as opposed to the receiver. I'm not dead set on it, but it makes sense. Right now it does. Many is the time I've thought something made sense, and then after I listened to Senator Chambers or